

Avista 2/11/09

SENATE NATURAL RESOURCES

EXHIBIT NO. 2

DATE Feb. 11, 2009

BILL NO. SB 324

**‘A BILL FOR AN ACT ENTITLED: “AN ACT
AUTHORIZING THE IMPOUNDING AND
RESTRAINING WITHIN THE STATE OF
MONTANA THE WATERS OF THE CLARK FORK
RIVER FOR A DISTANCE NOT EXCEEDING
TWENTY-FIVE MILES FROM THE IDAHO-
MONTANA BOUNDARY LINE, BY A DAM OR
DAMS LOCATED ON SAID RIVER IN THE STATE
OF IDAHO, AND CONSTRUCTED BY ANY PERSON
FIRM, PARTNERSHIP OR CORPORATION
AUTHORIZED TO DO BUSINESS IN THE STATE
OF MONTANA, AND PROVIDING THAT THIS ACT
SHALL TAKE EFFECT UPON ITS PASSAGE AND
APPROVAL.’**

85-1-122. **Clark Fork River.** The waters of the Clark Fork River may be impounded or restrained within the state of Montana for a distance not exceeding 25 miles from the Idaho-Montana boundary line by a dam located on said river in the state of Idaho and

constructed by any person, firm, partnership, or corporation authorized to do business in the state of Montana. Any present or future appropriations of water in the watershed in the state of Montana for irrigation and domestic use above said dam shall have priority over water for power use at said dam.

History: En. Sec. 1, Ch. 3, L. 1951; R.C.M. 1947. 89-856.